IN RE: PETITION FOR ADMINISTRATIVE ZONING VARIANCE \* ZONING COMMISSIONER E/S Compass Road, 200 ft. S from c/l Fuselage Avenue \* OF BALTIMORE COUNTY 9 Compass Road 15th Election District \* Case No. 94-107-A 6th Councilmanic District Alice Trent \* \* \* \* \* \* \* \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Alice Trent for that property known as 9 Compass Road in the Victory Villa subdivision of Baltimore County. The Petitioner/property owner herein seeks a variance from Sections 1802.3 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 10 ft., in lieu of the required 22.5 ft., for a deck, as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15 day of October, 1993 that the Petition for a Zoning Variance from Sections 1802.3 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 10 ft., in lieu of the required 22.5 ft., for a deck, in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> > Zoning Commissioner for Baltimore County

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does do presently reside at 9 Compass Rd.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address, indicate hardship or practical difficulty) House is positioned on lot as to where the rear setbacks cannot be met with the new deck added to house.

That Affiant(s) acknowledge(s) that if a protest is filed. Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: THEREBY CERTIFY, this 30th day of August , 19 93, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Alice Trent the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notarial Seal.

<u>August 30, 1993</u>

My Commission Expires: April 24, 1993

**EXAMPLE 3 - Zoning Description** - 3 copies 94-107-11 Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet

ZONING DESCRIPTION	FOR 9 Co	mpass Rd.	21220
ZONING DESCRIPTION  Election District _	15	Councilmani	(address) c District 6
Beginning at a point on the $\frac{1}{2}$	East		side of
		·	
Compass Rd	which is _		100 Ft.
Compass Rd (street on which property fro	onts)	(number of	feet of right-of way wid
wide at a distance of (number	2 <b>0</b> 0 Ft.	South	of the
(number	'olleet) (nor	th, gouth, e	agt or weet)
·	(1117)	, 6024011, 0	moe or wese,
centerline of the nearest imp	proved intersect	ing street _	Fuselage Ave. (name of street)
centerline of the nearest imp	eroved intersect	ing streetwide, *	Fuselage Ave. (name of street)  Being Lot # 264 ,
which is 60 Ft.  (number of feet of r	eroved intersect right-of-way wid	ing street _ wide, * th) _ in the sub	Fuselage Ave. (name of street)  Being Lot # 264 ,  division of
centerline of the nearest impulsion which is $\frac{60 \text{ Ft.}}{\text{(number of feet of respectively)}}$	eroved intersect right-of-way wid # 2 on)	ing streetwide, *_th)in the sub	Fuselage Ave. (name of street)  Being Lot # 264 ,  division of  in Baltimore County Pla

ITEM# 110 \*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed

Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

fiber \_\_\_\_, Folio \_\_\_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the

5500 Ft. .13 acre .

correct location.



Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887 4386

October 14, 1993

Ms. Alice Trent 9 Compass Road Baltimore, Maryland 21220

> RE: Petition for Administrative Variance Case No. 94-107-A 9 Compass Road

Dear Ms. Trent:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in 'accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-339).

> CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Location of property: 9 Compress R'N, F/S, 200 s/function Arm

Location of Signer Lawing Tou Sway on fire proclay of filetioner

Very truly yours, Bawrence E. Schmidt Zoning Commissioner

LES:mmn

cc: Mr. Vincent Delair 709 Eastern Blvd. Baltimore, Maryland 21220

> Development Management 111 Wost Chesapeake Assain

107AL - \$ 5000 107AL - \$ 3500

Please Make Checks Payable To: Baltimore County

OPADERÒMSKI CHEC

BE COMEDIMENT BY OF

# 9 CONPAGE RD.

BALTO. MD 21220



## Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9 Company Rd. 2122, which is propositly count . A.

This Petition shall be filed with the Office of Zoning Administration & Development Management The undersigned legal wassers of the property stoate in Baltimore Society and which is described in the description and plantage is Amento and made a part timest burney particle to a far an action of process. 1802.3. (301.1, 1956, 6) and 301.1.4. To permit a rear yand setback of 10 ft. in lieu of the required 22.5 ft.

of the Zona g Requisition, of Batherine County in the Zonny law of Randova County in the Ending least country of the country

House is positioned on lot as to where the rear sethacks cannot met with the new deck added to house.

Property is to be posted and advertised as prescribed by Zorucg Regulations The well agree to pay experience the centar and advertising posting are a post of the performance there agree the con-

to the state of services of the entropy of the entr Methodological program and set of the company program of the company of the co

и <sub>21</sub> и . Alige Trent steflered Isento

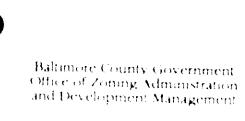
 $A^{M-1} \circ \rho_{(p)} \circ \dots \circ \rho^{(p)} \circ \dots \circ \rho^{(p)}$ 9 Compass Pd. - fgf. (184) M4. 21225

Vincent behalf 709 Eastern Blvd. 832 476

A figure of which may be away be accepted and containing to be required than in several

STEM . /10

المرازي والمواجع والمحاج والمارون والمحاجة وأباء



111 West Chesapeake Avenue

(410) 887-3353

Strictor 4, 1993

Ms. Alice Trent 9 Compass Road Baltimore, Maryland 21220

> RE: Case No. 94 107-A, Itom No. 110 Petitioner: Alice Trent Potition for Administrative Variance

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zening commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 1, 1994, and a hearing was scheduled accordingly

The following comments are related only to the filing of future zoning petitions and are simed at expediting the petition filing process

1. The director of Moning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the coming regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Towson, MD 21204

Item No.: \* 116 (AT)

Dear Ms. Kehring:

Toward Maryland 21204

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, John Contestabile, Chief Engineering Access Permits Division

My telephone number is Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 555-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Caivert St., Baltimore, Maryland 21203-0717 BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration and Development Management

DATE: September 20, 1993

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 110, 112, 114 and 115. If there should be any further questions or if this office can provide additional

information, please contact Jeffrey Long in the Office of Planning at 887-3480.

ZAC.110/PZONE/ZAC1

PK/JL:lw

**Baltimore County Government** Department of Permits and Licenses

111 West Chesapeake Avenue SEPTEMBER 28, 1993

(410) 887-3610

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

Towson, MD 21204

ZONING AGENDA - Formal or Informal Response Due September 27, 1993

- RE: Property Owner: William Lee Gaines and Emma V. Gaines Location: #1610 Ruxton Road Item No.: \*109 (RT) No Comments.
- RE: Property Owner: Alice Trent Location: #9 Compass Road Item No.: \*110 (RT) No Comments.
- RE: Property Owner: Mitcherling and Mitcherling, D.D.S., P.A. Location: #1414 Shore Road Item No.: 111 (WCR) No Comments.
- RE: Property Owner: Park School Location: Park School Item No.: + 112 (WCR) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 Edition prior to occupancy.
- RE: Property Owner: Stanley G. Souranis and Annette N. Souranis Location: #1405 Mt. Airy Road Item No.: \*114 (JLL) No Comments.
- RE: Property Owner: Domenick William Filleti and Mary Elizabeth Filleti Location: #7815 Seaside Road Item No.: \*115 (RT)
- No Comments. RE: Property Owner: Frederick J. Burgesen and Michelle & Burgesen Printed with Soybean Ink

Baltimore County Government Office of Zoning Administration and Development Management

(410) 887-3353

BUTICE OF CASE MUNICE ASSISTANCE

Alice Trent 9 Company Board Beltimore, Heryland 21220

11 West Chesapeake Avenue owson, MD 21204

SEPTEMBER 16, 1993

CASE MRBER: 94-107-A (Item 110) E/S Company Road, 2001 S from c/l Fuselage Avenue 15th Election District - 6th Cosmcilmonic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office recarding the status of this case, should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the edministrative process.

1) Your property will be posted on or before September 71, 1995. The closing date (product 12, 1993, is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Communicationer. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

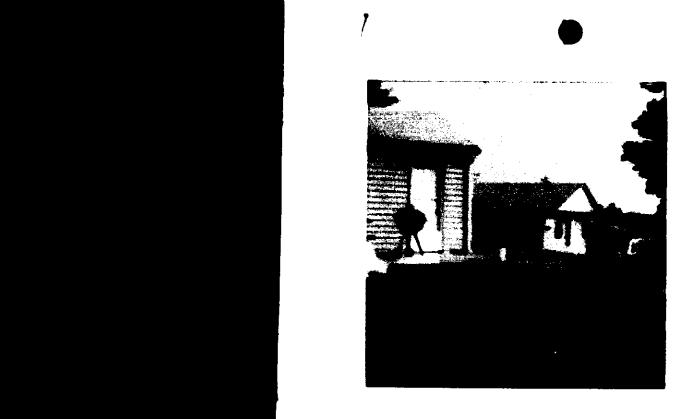
2) In cases requiring public hearing (whether due to a seighbor's forms, request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the repositing and newspape: elvertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be esturned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. OPLERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE OFFICE WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

cc: Vincent DeLair

 $\sqrt{M}$  . Presided with Soybean ink.

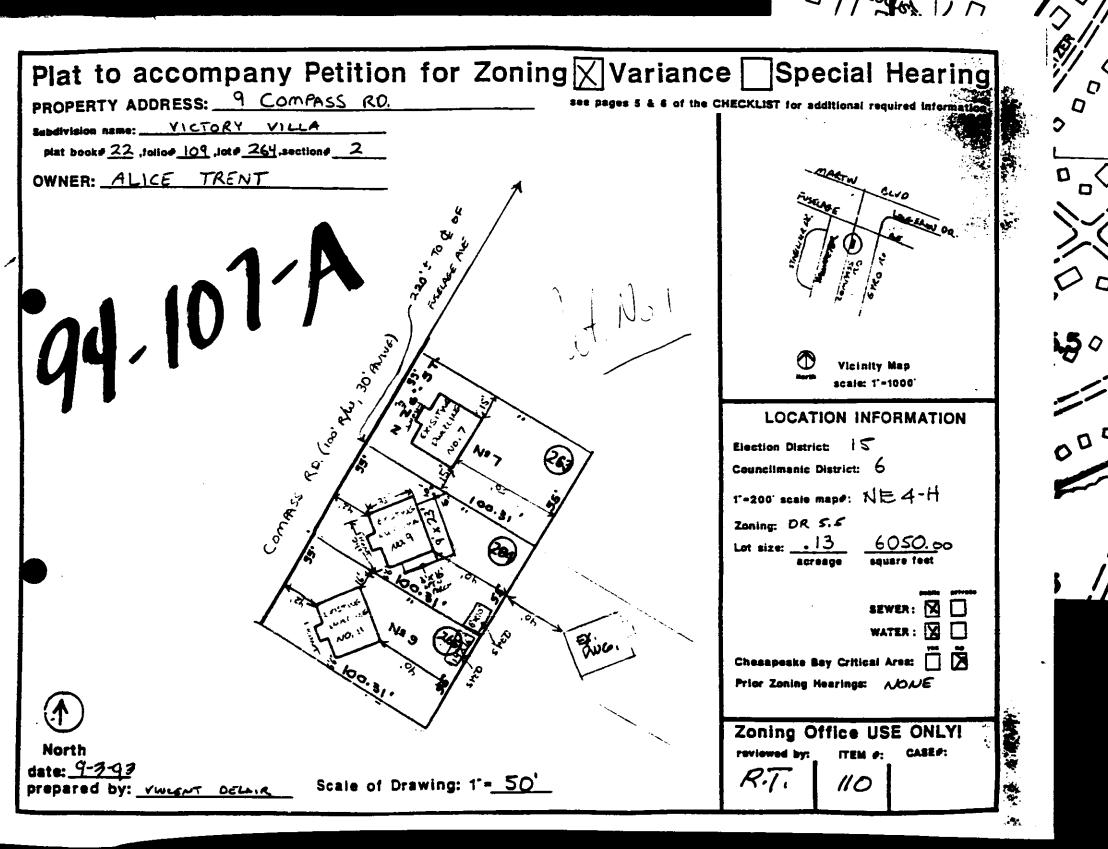








94-10-2-11 74-107-1



MOE & REAR FLETH

